



# UNITED STATES PATENT AND TRADEMARK OFFICE

A  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,631	08/05/2003	Hiroyuki Kusaka	026304-0208	8454
23392	7590	02/21/2006	EXAMINER	
FOLEY & LARDNER 2029 CENTURY PARK EAST SUITE 3500 LOS ANGELES, CA 90067			NGUYEN, PHUONGCHI T	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/635,631

Applicant(s)

KUSAKA, HIROYUKI

Examiner

Phuongchi Nguyen

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/03/05 (RCE).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-15 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8-10 and 16-23 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Attachments 1+2

**DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 03, 2005 has been entered.

Applicant's amendment of November 03, 2005 is acknowledged. It is noted that claims 1, 17-19 and 21 are amended. Claim 4 is canceled. New claims 22- 23 are added.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-6, 8-10 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Louis et al (US6674425B1) in view of Mack et al (US2002/0054115A1).

In regarding to claims 1 and 16, Louis et al disclose (Attachment 1 of figure 11) an electronic apparatus comprising a housing (of 150, of 160 and 12) which contains an electric component (col. 6, lines 3-5; Fig. 2 teaches a schematic of the computer system which would inherently include the plurality of the electrical components to operate the computer system including the electric component) therein (because figure 11 is an embodiment of figures 1-2; and the flat input surface 16 of figures 1-2 is equivalent to the flat input surface 154 of figure 11), and has an outside wall (C ) which has an exterior surface (A) exposed outward of the housing (of 150, of 160, 12) and an interior surface (B) exposed inward of the housing (of 150, of 160, 12), the housing (of 150, of 160, 12) having an operation area (172) in the exterior

Art Unit: 2833

surface (A); and a pointing device (of 154) having a flat input surface (154) secured with an adhesive (162) on the interior surface (B) of the outside wall adjacent the operation area (172), the outside wall (C) being larger than the flat input surface (154) (or 16 of fig. 1B) (attachment 2), the flat input surface (154) receiving input operations through the operation area (172); and a sticker (162) stuck to the operation area (172). Louis et al discloses the invention generally all as claimed, but lacks a colored sticker. However, Mack et al teaches a colored sticker (70) stuck to the operation area (60) (fig. 7; page 3, [0023], lines 26-28). It would have been obvious to one having ordinary skill at the time the invention was made to modify the operation area of Louis et al by having a color sticker stuck to the operation area as taught by Mack et al for the user to be visible during operating the computer.

In regarding to claim 2, Louis et al disclose (Attachment 1) the electronic apparatus wherein the operation area (172) has a recess (180) formed on the exterior surface (A).

In regarding to claim 3, Louis et al disclose (Attachment 1) the electronic apparatus wherein the operation area (172) has a projection (156 or 170) formed on the exterior surface (A).

In regarding to claim 5, the “painted layer” is rejected for the same reason as the “color sticker” of claim 1.

In regarding to claim 6, Louis et al disclose (Attachment 1) the electronic apparatus wherein the operation area (172, 174, 176) is made with a surface roughness different from a surrounding area.

In regarding to claim 8, Louis et al disclose (Attachment 2) the electronic apparatus wherein the operation area (172) has a plurality of recesses (166, 180) provided therein.

Art Unit: 2833

In regarding to claim 9, Louis et al disclose (Attachment 1) the electronic apparatus wherein the operation area (172) has a plurality of projections (156, 170) provided therein.

In regarding to claim 10, Louis et al disclose (Attachment 1) the electronic apparatus wherein the operation area (172) has a first operation area (176) for first operation, and a second operation area (174 or 172) provided separately from the first operation area (176) for second operation (figure 12 and column 10, lines 64-67 and column 11, lines 1-6).

In regarding to claims 18 and 20, Louis et al disclose (Attachment 1) the electronic apparatus further comprising a recess (180) formed on the exterior surface (A) of the outside wall, wherein the sticker (162) covers the recess (180, 166), and the flat input surface (154) of the pointing device (of 154) is laid on the interior surface (B) opposing the recess (180, 166).

In regarding to claim 19, Louis et al discloses the electronic apparatus (attachment 1) further comprising a sticker (162) printed with a pattern, the sticker (162) being secured to the exterior surface (A) of the outside wall opposite to the interior surface (B) on which the flat input surface (154) of the pointing device (of 154) is laid.

In regarding to claim 21, Louis et al further discloses a sticker (162) that is stuck to the operation area (172) (figure 11).

Claims 5 and 17 have been rejected for the same reason of claim 1 regarding to the color sticker.

In regarding to claim 22, Louis et al discloses the operation area (172) has a recess formed on the exterior surface (C) (attachments 1 and 2).

In regarding to claim 23, Louis et al discloses the invention generally all as claimed, but lacks a colored sticker positioned in the recess. However, Mack et al teaches a color sticker (70) positioned in the recess (of the console screen 50) (fig. 7; page 6, [0035], line 13). It would have

Art Unit: 2833

been obvious to one having ordinary skill at the time the invention was made to modify the operation area of Louis et al by having a color sticker positioned in the recess as taught by Mack et al for causing an attention to the user.

***Allowable Subject Matter***

4. Claims 11-15 are allowed.
5. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Responses to Arguments***

6. Applicant's arguments regarding to "the color sticker" have been considered but are moot in view of the new ground(s) of rejection.
7. Applicant argues that "the peripheral area under the outer bezel 160 is provided with an adhesive substance 162, but no adhesive is provided in the interior regions which corresponds to applicant's operation region" is not deemed persuasive. As seen in figure 11, Louis et al does have a sticker 162 that is stuck to the interior surface of the bezel 160, which is connecting to the operation area 172. Claim 21 recites so broadly that reads on Louis et al.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchi Nguyen whose telephone number is (571) 272-2012. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2833

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PCN

February 13, 2006.

  
**TULSIDAS C. PATEL**  
**SUPERVISORY PATENT EXAMINER**

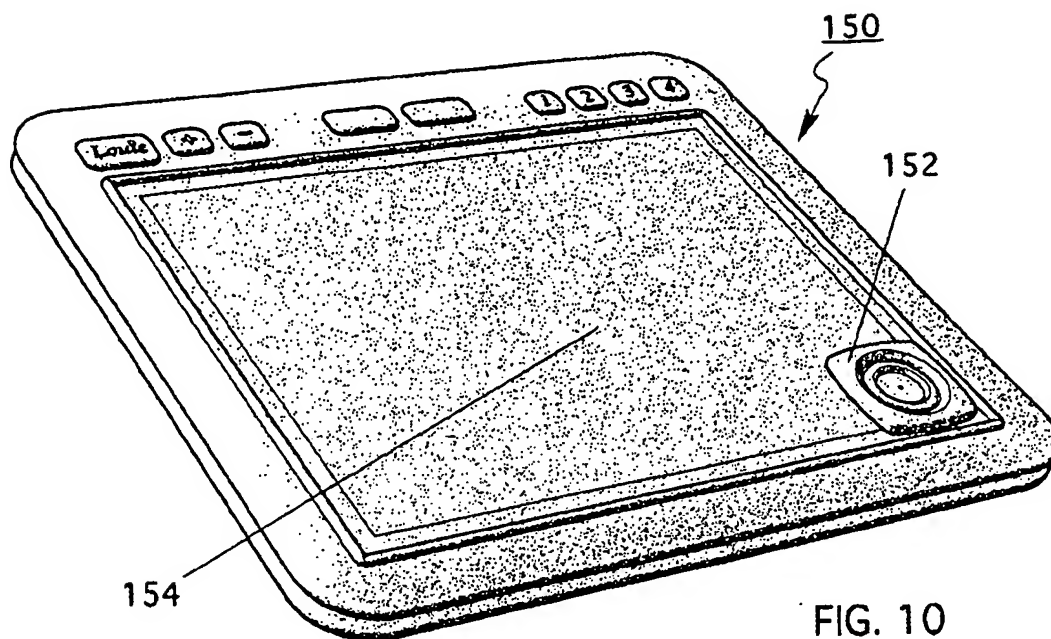


FIG. 10

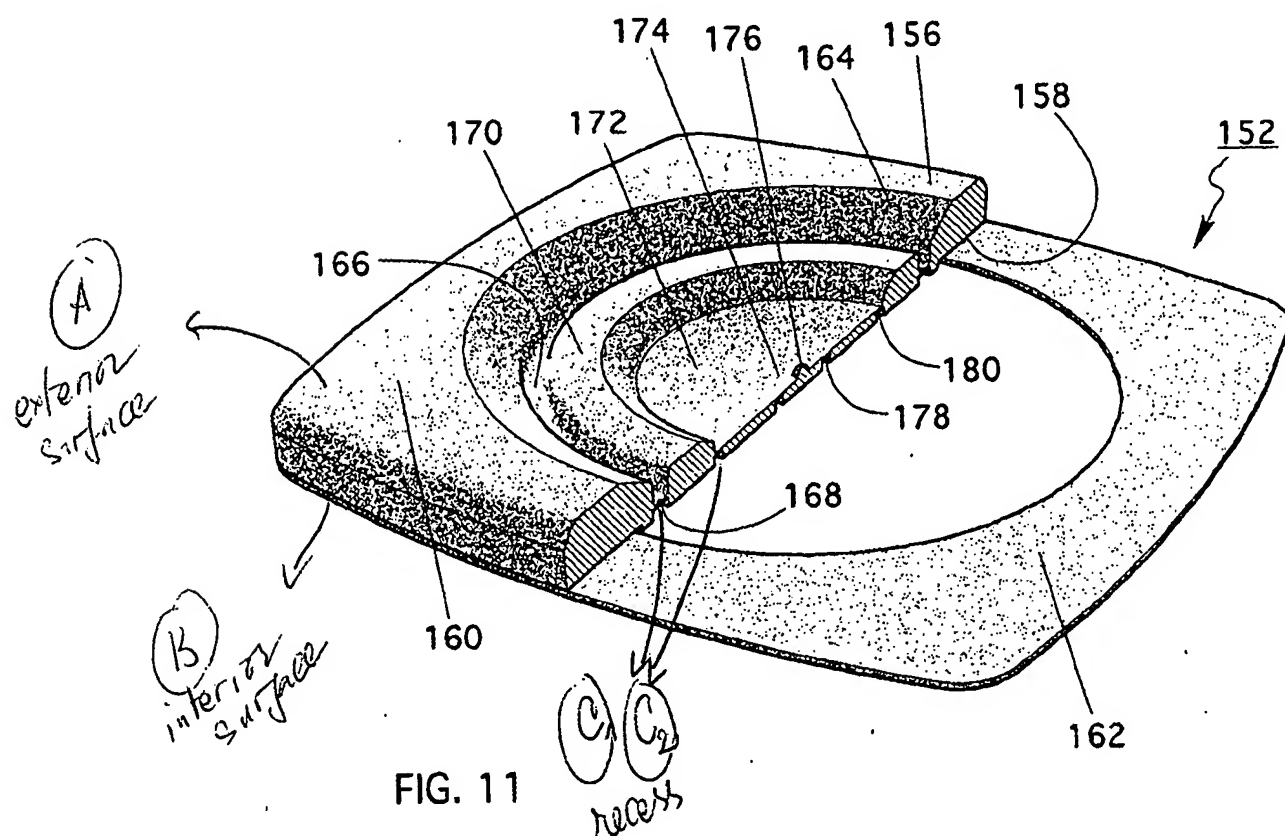


FIG. 11



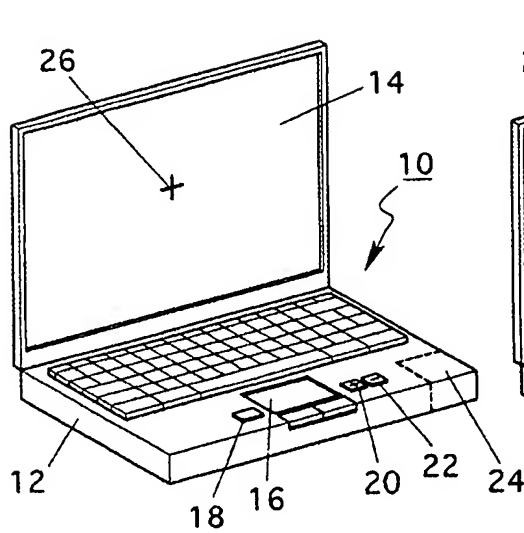


FIG. 1A

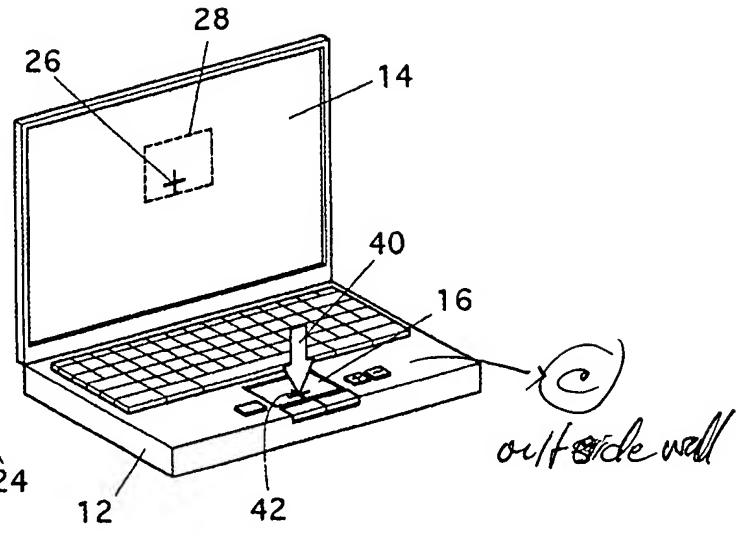


FIG. 1B

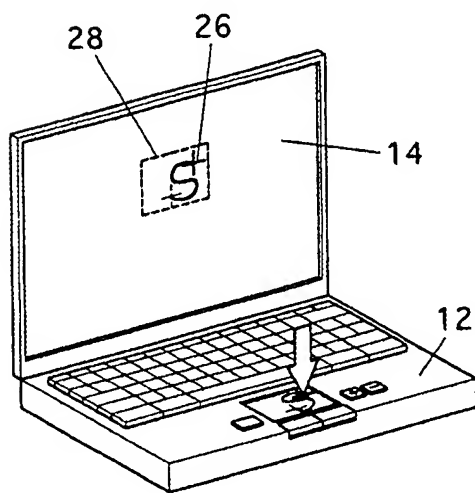


FIG. 1C

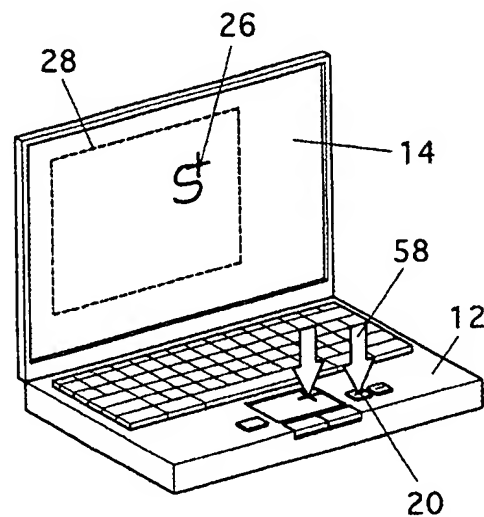


FIG. 1D